

KEY PITTMAN IS CHARGED WITH FRAUD

Named Defendant In Suit Filed Today In The District Court

LOUIS SCHLOSS CHARGES THAT GOLDEN ANCHOR CO. WAS SECURED THROUGH FRAUDULENT JUDGMENT

Charged with uniting in a fraudulent scheme for the purpose of cheating and defrauding the stockholders of the Golden Anchor Mining company, Key Pittman, John G. Kirchen, Robert C. Hall, the Golden Anchor Mining company and the Tonopah Merger Mining company were made the defendants in a suit filed today in the district court by Louis Schloss of Goldfield.

Schloss, in the complaint asserts that Pittman, while acting as attorney for the Golden Anchor company, permitted judgment to be taken Kirchen, who was manager of the concern, permitted a default judgment to be entered by Pittman, who was seeking to recover for attorney's fees.

Schloss states that he is the owner of 5000 shares of Golden Anchor stock and is seeking to have the shares exchanged for Merger stock. He first acquired the shares in May, 1907.

The complaint states that on November 5, 1907, Pittman, who had acted as general counsel for the Golden Anchor company, filed an action to recover an aggregate sum of \$10,188.50, claiming that the company was indebted to him for legal services rendered. At the commencement of the action Pittman caused a writ of attachment to be issued and levied upon certain real and personal property of the Golden Anchor company. Personal service was served upon John G. Kirchen as the general manager and agent of the company. Quite a legal battle ensued during which time an amended complaint was filed and Attorney H. H. Brown entered the fight on behalf of Fred Grob, a Reno stockholder. Brown secured an order allowing the company 15 days in which to answer.

Later it is charged that Kirchen employed R. M. Aikens, his brother-in-law, to represent the company, while Pittman was represented by F. A. Stevens. Stevens and Aikens signed a stipulation allowing additional time for the defendant company to file an answer to the amended complaint. Later Pittman gave notice that he would ask the court to annul the order allowing the additional time to answer, and he proceeded to do so, securing the required order from Judge O'Brien, who was presiding judge in the district court at that time. No answer or pleading of any kind was made by Aikens. A judgment by default was taken and the amount demanded by Pittman was allowed him. The property of the Golden Anchor company under attachment was sold under a sheriff's sale and Pittman became the possessor.

Schloss states that he asked the officials of the Golden Anchor company to defend the action against the Pittman suit and that other stockholders also made the same request, but no attention was paid to the requests.

Quoting from the complaint the following appears:

"Plaintiff further states that upon his information and belief that the said proceedings and circumstances under which said judgment in the aforesaid action of Pittman versus Golden Anchor Mining company, was made and entered up, render the same fraudulent and invalid in law, and that the same is fraudulent as against the plaintiff, and tends to his great and irreparable injury, and that the said fraudulent and invalid judgment was consummated under the advice and by the connivance of said R. M. Aikens, who was employed by said John G. Kirchen and confederated with him and with said Key Pittman and with said R. C. Hall to procure to be entered upon the records of said court, said covinous and fraudulent judgment to the end and for the purpose that said Pittman might acquire and take over the property of said Golden Anchor Mining company as herein set out, to the great and irreparable injury of said company and each and all of its stockholders."

Schloss states that it was the duty of the officers of the company to protect the stockholders. In this instance the complaint reads:

"Plaintiff further alleges upon his information and belief that as officers and agents of the said Golden Anchor Mining company it was the bounden duty of the said Key Pittman, John G. Kirchen and Robert C. Hall to protect the interests and property of the Golden Anchor Mining company and the interests of the stockholders, and plaintiff alleges that wholly disregarding said duty the said Pittman, Kirchen and Hall, joined and united in a fraudulent scheme and plan to cheat and defraud the said Golden Anchor Mining company and its stockholders and this plaintiff in particular as herein above fully set forth."

In conclusion the complaint states: "Plaintiff further alleges that he is informed and believes that he is entitled to exchange this 5000 shares of the capital stock of the Golden Anchor Mining company, which he now holds and owns, for an equal number of shares of the said Tonopah Merger Mining company, to-wit, for 5000 shares of the capital stock of said last named company, and in this connection the plaintiff states that he is now ready and willing to make said exchange and that he has now in his possession the said 5000 shares of the Golden Anchor Mining company stock ready for delivery in case said exchange is effected."

R. S. Miner of Goldfield appears as the attorney for Schloss.

WOMAN CONFESSES TO MURDER OF SINGER GIRL

(By Associated Press) CHICAGO, Nov. 1.—Mrs. Charles N. Conway, who was arrested yesterday with her husband at Lima, O., on suspicion of the murder of Sophia Singer, the Baltimore heiress who was found slain in a rooming house, confessed to the crime today.

She said her husband killed the young woman, William Worthen was Miss Singer's affianced husband.

SEAPORT OF ACAPULCO DESTROYED BY HURRICANE

(By Associated Press) SAN JUAN DEL SUR, Nov. 1.—The seaport of Acapulco, on the Pacific coast of Mexico, was virtually destroyed by a hurricane Wednesday night, according to wireless. No lives were lost, but a number of natives were injured.

TORPEDO BOAT ABANDONED

WASHINGTON, Nov. 1.—The torpedo boat Rowan, the first of her class built for the United States, has been stricken from the naval list after 15 years' service. The submarine M-1, formerly the Seal, the twenty-first vessel of her class to be completed for the navy, has been placed in commission at the New York navy yard.

WHITMAN WARNED OF PLOT AGAINST LIFE

(By Associated Press) NEW YORK, Nov. 1.—District Attorney Whitman has been warned of a plot to assassinate him on account of the conviction of Becker.

MASSEY AND ROBERTS WILL BE IN TONOPAH TOMORROW

Senator W. A. Massey and Congressman E. E. Roberts passed through Tonopah this morning bound for Goldfield. Both candidates will return to this city tomorrow morning and will spend the day here interviewing voters. There will be no speechmaking and on Sunday morning both gentlemen will return to the northern part of the state.

Special to the Bonanza

RENO, Nov. 1.—Senator W. A. Massey and Congressman E. E. Roberts are on the last lap of their campaign. They will wind up in southern Nevada Sunday and the closing rally will take place in Virginia City Monday night, when old Storey will ring with welcome for Nevada's representatives in the congress.

Senator Massey and Congressman Roberts are absolutely certain of election. They will receive tremendous majorities in Washoe county, a fact which is even admitted at democratic headquarters. Pittman's closest friends concede Washoe county by at least 500 votes, while a careful poll indicates that the plurality will exceed 1000.

Every section of the state reports similar conditions. Elko and Humboldt, old democratic strongholds, will be found for Senator Massey and Congressman Roberts.

Pittman's following is desperate, and it is understood that every conceivable trade is being made to save him.

Dr. H. E. Reid, chairman of the republican state central committee, on the other hand, has issued a letter to every county chairman, that no trade will be countenanced, and urging them to see that Massey and Roberts get the full vote.

The little general, H. B. Lind, has effectively killed off Sardinia Summerfield's candidacy, if it ever was intended for anything else than a stumbling block to the triumphant election of Senator Massey. The little general got Summerfield side-tracked on a blind track when he caused to be revealed the fact that Summerfield was United States district attorney and Southern Pacific attorney at one and the same time. Even the progressives got disgusted for they consider him a poor sort to appeal for anti-corruption support. It is freely predicted that Summerfield will not receive more than 300 votes in the whole state. All protectionists see in Summerfield's candidacy the danger of the election of a free-trader—Pittman.

Every effort is being made by friends of Senator Massey to prevent the illegal use of money in the closing days of the election. A complete organization of responsible citizens will police Reno on election day and any corruption will be met by prompt arrest and prosecution of the perpetrators and participants. So the election will be honest.

TURKISH ARMY DEFEATED AND IS NOW RETREATING TO MAKE LAST STAND AGAINST BULGARS

(By Associated Press) LONDON, Nov. 1.—The Turkish army on which the fate of the Ottoman empire depended has been outgeneraled and outfought and made what is believed to be the last stand against the victorious Bulgarians, and is now falling back for a final base of defense at the forts of Tehtatalja.

Foreigners in Constantinople are fearful for the safety of Christians in Turkish towns, and the European powers have taken steps in this connection by sending warships to Saloniki and other Turkish ports for the protection of the people of their nationalities.

Allies Now Confering VIENNA, Nov. 1.—Negotiations are in progress between the representatives of Bulgaria, Serbia, Montenegro and Greece, in view of reaching an agreement regarding the demands on Turkey at the conclusion of hostilities.

WEALTHY CATTLEMAN IS HELD ON MURDER CHARGE

(By Associated Press) OAKLAND, Nov. 1.—A J. Stephenson, a wealthy cattleman of Newmarket, was arraigned today on a charge of murder, the result of an investigation of the death of Andrew Pimentel, whose injuries were received when he was run down by Stephenson's automobile. The hearing was postponed until November 14.

WILSON WILL SPEAK AT ROCHESTER TONIGHT

(By Associated Press) NEW YORK, Nov. 1.—Governor Wilson left for Rochester today, where he speaks tonight.

DECLARES MINING STOCK OF LATE MALCOLM M'DONALD WAS SOLD FRAUDULENTLY BY BANK

Suit for an accounting of the disposition of shares of certain mining stock has been filed in the district court by Irving Macdonald, the administrator of the estate of Malcolm Macdonald, deceased, against the Nevada First National Bank of Tonopah.

In the complaint as filed by Macdonald, he charges that the bank sold shares of Tonopah Extension and Tonopah Merger mining stock that had been pledged by the late Malcolm Macdonald in securing loans, and that the sale price of the stock was considerably less than the market quotations.

It is stated that Macdonald pledged 16,200 shares of Extension stock and 18,000 shares of Tonopah Merger stock, in addition to several hundred thousand shares of other stocks, for loans. Shortly after the death of Macdonald, and after Irving Macdonald had been appointed administrator of the estate, it is charged that officials of the bank promised to hold the stock in question for a year, before attempting to dispose of the securities or ask for a settlement.

It is charged that hardly a month elapsed before the Extension stock was sold for a price purported to be \$1.05 a share, although at that time the stock was selling in the vicinity of \$3 a share. At the same time, or shortly thereafter, it is charged that the Merger stock was sold for 5 cents a share, while the market quotations at that time were 20 cents per share.

The complaint states that the promise to hold the stock for a period of one year was made in the presence of Louis Parkhurst and Geo. A. Bartlett.

In discussing the case today Irving Macdonald stated that the bank had recently filed a claim upon the sum approximating \$50,000. The claim, he stated, was based upon estate of his brother, asking for a loan made the deceased.

Macdonald claims that the stock pledged to meet the loans was sufficient to pay the indebtedness, if sold at the market price, and would also leave a neat sum for the heirs. He declares that he has been unable to secure an accounting of the bank, with reference to the business transaction of his brother, and asks the court for an accounting in equity and that he also be credited with amounts made "from the sale of the stock for such an amount as would have been realized from such sale and disposition if the same had been made in a manner free from fraud and in accord with the promises and agreements of said defendant."

Macdonald declared that he had been advised by bank officials that the action taken by the institution had been upon the advice of its attorney. He is represented in the suit by Henry M. Hoyt of Goldfield, chief counsel for the Goldfield Consolidated Mining company. Mr. Hoyt spent the last two days in Tonopah, returning to the southern city yesterday.

CREW DROWNS WHEN SCHOONER IS WRECKED

ATTEMPT TO ENTER OREGON PORT DURING STORM RESULTS DISASTROUSLY

(By Associated Press) MARSHFIELD, Ore., Nov. 1.—In an attempt to enter this port during a heavy sea this morning, the small gasoline schooner Osprey, Captain H. Jacobson, was wrecked and the entire crew of five drowned.

The schooner was driven against the north jetty where it hung, the waves washing the men overboard. A life saving crew on the beach was unable to reach the vessel. William Veach is the name of one of the crew who was lost. The others are unknown.

TWO STORMS IN TEXAS

AMARILLO, Tex., Nov. 1.—A snow storm and thunder storm at the same time was the new record of the Te as panhandle yesterday. The ground was covered with sleet and snow while the electrical display and thunder continued. The cold wave is reported as extending over northwest Texas, eastern and southwestern New Mexico.

CHINATOWN CELEBRATES WEDDING

WASHINGTON, Nov. 1.—Dawn today dimmed the lights of local Chinatown and ended a celebration that followed the first Chinese wedding performed according to Christian rites. The bridegroom was Lee Low, a "merchant prince" of the city, and his bride was Miss Chu How, daughter of a wealthy merchant of New York's Chinatown.

Advertise in the Bonanza.

PARADE CLOSING WILSON CAMPAIGN IN NEW YORK

WILSON AND MARSHALL DAY WILL BE OBSERVED WIDELY TOMORROW

(By Associated Press) NEW YORK, Nov. 1.—The democrats will practically close the campaign in this state with a Wilson parade tomorrow afternoon.

It will be a Wilson and Marshall day throughout the country. Wilson's closing message to the voters will be read about the same time in every city and practically every village in the United States.

700 LETTERS APPEAR AT DYNAMITE TRIAL

(By Associated Press) INDIANAPOLIS, Nov. 1.—Seven hundred letters taken from the office of the International Association of Bridge and Structural Iron workers were brought before the jury today at the dynamite conspiracy trial.

It is charged the letters show that Frank Ryan, president of the union, and other defendants, knew about jobs that were to be blown up.

DISMISS INDICTMENTS AGAINST LOUIS GLASS

(By Associated Press) SAN FRANCISCO, Nov. 1.—The last of the graft indictments, that against Louis Glass of the telephone company, was dismissed today by Judge Lawler.

JOHNSON IS TOURING SMALL N. Y. VILLAGES

(By Associated Press) BUFFALO, Nov. 1.—Governor Johnson left here early today for a tour of the numerous small towns of western New York.